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REMARKS

Claims 16, 18, 19, 24 and 26-31 are rejected, under 35 U.S.C. § 103(a), as being unpatentable over Alfredsson `674 in view of Maurice et al. `932. The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the following remarks.

As the Examiner is aware, in order to properly support a combination of references, the combined references themselves must provide some disclosure, teaching or suggestion which would lead one of ordinary skill in the art to combine the references in order to meet the specific features of the rejected claims. The courts have long held that there must be some teaching or suggestion of combining the various elements or components of the references as disclosed or taught by the Applicant's disclosure or invention,

Undoubtedly, these patents disclose, individually, the separate elements or components of the invention. However, none of them teaches or even suggests combining these various elements or components in the manner taught by Silman, and it is well settled that references may not be combined where there is no suggestion in any of the references that they can be combined to meet the recitations of the claims. United Merchants and Manufacturers, Inc. v. Commissioner of Patents, 139 USPQ 199, 200 (DC, District of Columbia 1963).

Initially, the Applicant notes that Alfredsson `674, Fig. 1 discloses a pair of radially disposed clutches having a common disk carrier 7 supporting respective inner and outer disks 10, 11 for the respective inner and outer disk packs of the respective clutches. Also, as noted by the Examiner in the official action, separate guard rings (not numbered) are secured to the common disk carrier on both the outer side and the inner side of the common disk carrier. The separate guard ring, as is well known in the art, is intended to provide axial support to the disk packs as they are compressed during actuation.

Maurice et al. `932 specifically relates to a formation of axial abutment members 12, as seen in Figs. 3, 4 and 5, formed in the crenellated drum groove wall. The abutment members 12 are intended to maximize the frontal abutment surface for a component being immobilized, as well as maintain a minimum flexure under thrust energy by good diffusion of the energy of the abutment surface towards the crenellated remainder of the drum (see column 2, lines 21-26).

It is important to note that Maurice et al. '932 teaches such abutment members in direct contrast to, and in the place of resilient stop rings or guard rings as disclosed in Alfredsson '674 and the present invention. As noted in column 1 of Maurice et al. '932 which explicitly teaches away from the conventional guard, or stop rings,

The resilient stop rings do not constitute a reliable abutment solution since they can be dislodged under the effect of repeated thrust forces. . .[t]he present invention enables the above-mentioned drawbacks to be obviated by producing abutments without a cutting machining operation and without the need for any such resilient stop ring.

In other words, the specific teachings of Maurice et al. '932 are specifically contrary to the resilient stop rings which must be used as disclosed in Alfredsson et al. '674, as well as specifically recited in the present invention. '932.

Alfredsson must use a separate stop ring to permit the assembly of the inner disks 10 of the outer disk pack onto the cover 7. In other words, if the cover 7 were provided with the abutment members 12 as disclosed in Maurice et al. 932, the inner disks 10 could not be assembled over the abutment members 12, nor could they be assembled onto the cover 7 at the other opposing end because the opposing end of the cover 7 has a significantly larger diameter than the portion constituting the common support. To be even more clear, the abutment members 12 cannot be formed in the cover 7 after the disks 10 have been assembled, as the assembly of the clutches themselves including cover 13 supporting the outer disk 12 of the outer disk pack prevents any such machining of the cover 7 after the clutches have been assembled thereon.

Thus, the function and structure of the two references are so entirely different that one of skill in the art would not contemplate replacing the guard rings in Alfredsson with the abutments of Maurice.

Even if the two references can be combined, and the Applicant adamantly refutes such a combination is feasible, where Maurice et al. '932 may arguably teach replacing a separate snap ring with a deformed portion to form an abutment member, it is the Applicant's position that the alleged combination is impossible without a complete redesign of the Alfredsson clutch because the cover 13 in Alfredsson '674 which supports the outer disks 12 of the outer disk

pack would not permit formation of the abutments in the inner common disc support 7 after assembly of the clutches. In other words, the result of any combination would be that the outer disk pack in Alfredsson et al. '674 could not be assembled to the common disk carrier 7 as shown in Fig. 1 of Alfredsson '674. Thus, such a combination of these references will require a complete redesign of the clutch in order to accommodate the axial support of the disk pack being formed on the outer disk carrier 13 as seen in Alfredsson et al. '674.

Therefore, it is the Applicant's position that no one of ordinary skill in the art would combine these references as suggested by the Examiner, because at best such a combination would require a significant redesign of both of the clutches to accommodate such a structure as suggested by the Examiner.

Even if the two references can be combined, and the Applicant again adamantly refutes such an allegation, a combination of Maurice et al. '932 with Alfredsson et al. '674 would replace *both* of the un-numbered guard rings of Alfredsson et al. '674 with the axial abutment members as shown and described in Maurice et al. '932. Different from either reference, the Applicant's claimed invention specifically utilizes a separate guard ring as well as the integral contact section. To further clarify this aspect of the present invention, the Applicant has amended claim 16 to specifically recite the feature wherein ". . . said discs (23, 24) of said radially inner disc set (40) can be axially pressed against a *separate* guard ring (16) fastened on said common disc carrier (9)." This separate guard ring is entirely different, and contrary to the express disclosure of Maurice et al. 932 requiring replacement of separate guard rings with machined abutments. In other words, a separate guard ring is still utilized in the present invention for purposes of facilitating the easiest and strongest construction of such a clutch.

Thus, the guard ring is now specifically defined as separate from the common disk carrier, and cannot be integral with the disk carriers as the Examiner considers on the end of paragraph 1 on page 4 of the official action. Accordingly, the Applicant respectfully request withdrawal of the obviousness rejection with respect to claims 16.

In addition, the Applicant has also added claims 31-33, which are intended to further clarify the inventive subject matter of the contact member 12 in its relationship with the integral outer flange of the common carrier. In particular, claim 31 recites the feature wherein

a contact section comprising a contiguous end portion of the common carrier which extends axially beyond the separate guard ring to form an integral, radially outwardly deformed axial end 30 of the common inner disc carrier (9) wherein said discs (21, 22) of said radially outer disc set (39) can be axially pressed against the contact section.

Neither reference alone, or in combination discloses the separate guard ring in combination with an integrally formed contact section, and moreover does not disclose any such structure where the contact portion extends axially beyond the separate guard ring. As these specifically recited features are not believed disclosed, taught or suggested in any manner by the prior art, the Applicant also believes that claims 31-33, are allowable as well.

Claim 25 is rejected, under 35 U.S.C. § 103(a), as being unpatentable over Alfredsson `674 in view of Maurice et al. `932 as applied to claims 16, 18, 19, 24 and 26-31 and further in view of Morishita et al. `743. Claims 20-23 are rejected, under 35 U.S.C. § 103(a), as being unpatentable over Alfredsson `674 in view of Maurice et al. `932 as applied to claims 16, 18, 19, 24 and 26-31 and further in view of Walker `043. As these claims are dependent upon claim 16 which is believed allowable in view of the above discussed amendments and remarks, the Applicant believes these claims to be allowable as well and thus no further discussion is believed necessary.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised obviousness rejections should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the Alfredsson `674 and Maurice et al. `932 references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit

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substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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